

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELAINE L. CHAO, Secretary of Labor,
United States Department of Labor,

Plaintiff,

No. C 04-4949 PJH

v.

**ORDER RE REQUEST FOR LEAVE TO
FILE SECOND DISPOSITIVE MOTION**

LAWRENCE J. MAZZOLA, et al.,

Defendants.

The court has read and considered defendants' request for leave to file a second motion for summary judgment, and plaintiff's response to that request. The court finds that defendants have not established the necessity for filing two separate motions. Nevertheless, the court finds that some allowance should be made because of the number of defendants in the case. Accordingly, the court will permit defendants to withdraw the two motions they have already filed, and to file a single motion, not to exceed 35 pages in length. Plaintiff's opposition to defendants' motion shall not exceed 35 pages, and the reply shall not exceed 20 pages.

IT IS SO ORDERED.

Dated: December 13, 2006



PHYLLIS J. HAMILTON
United States District Judge